

Civil Service Retirement Act of 1930. 46 Stat. 468

468

SEVENTY-FIRST CONGRESS. Sess. II. CHS. 348, 349. 1930.

Artificial limbs, etc.,
to injured employees.

Chief quarantine of-
ficer.

Civil government ex-
penses.

Codifying laws.
Vol. 43, p. 536.

Available until ex-
pended.
Moneys from desig-
nated sources credited
to original appropria-
tions.

Net profits to be
covered into the Treas-
ury.

Operation of water-
works, etc., in Panama
and Colon.

legally within the Canal Zone, including expenses of their deportation when practicable, and the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, and including additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine officer, \$745,000;

For civil government of the Panama Canal and Canal Zone, including salaries of district judge, \$10,000; district attorney, \$5,000; marshal, \$5,000; codification of Canal Zone laws as authorized by the Act of May 17, 1928 (45 Stat., p. 596), \$5,000; and gratuities and necessary clothing for indigent discharged prisoners, \$1,292,915;

Total, Panama Canal, \$11,653,140, to be available until expended.

In addition to the foregoing sums there is appropriated for the fiscal year 1931 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, all moneys received by the Panama Canal from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other by-products of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

In addition there is appropriated for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, during the fiscal year 1931, the necessary portions of such sums as shall be paid as water rentals or directly by the Government of Panama for such expenses.

Approved, May 28, 1930.

May 29, 1930.

[S. 15.]

[Public, No. 279.]

CHAP. 349.—An Act to amend the Act entitled "An Act to amend the Act entitled 'An Act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and Acts in amendment thereof," approved July 3, 1926, as amended.

Retirement of classi-
fied civil-service em-
ployees.

Vol. 41, p. 614.

Vol. 44, p. 904,
amended.

Ante, p. 253.

U. S. C., p. 71; Supp.
IV, p. 30.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to amend the Act entitled 'An Act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and Acts in amendment thereof," approved July 3, 1926, be, and the same is hereby, amended as follows:

ELIGIBILITY FOR SUPERANNUATION RETIREMENT

Age and service eligi-
bility.

Vol. 44, p. 904,
amended.

Incisos.
Postal employees, la-
borers, and mechanics.

SEC. 1. All employees to whom this Act applies who, before its effective date, shall have attained or shall thereafter attain the age of seventy years and rendered at least fifteen years of service computed as prescribed in section 5 of this Act shall be eligible for retirement on an annuity as provided in section 4 hereof: *Provided*, That city, rural, and village letter carriers, post office clerks, sea-post clerks, employees of the Indian Service at large excepting clerks,

SEVENTY-FIRST CONGRESS. Sess. II. CH. 349. 1930.

469

laborers, and mechanics generally shall, under like conditions, be eligible for retirement at sixty-five years of age and that railway postal clerks, mechanics and laborers in navy yards including leading men and quartermen but excluding master mechanics and foremen, and those employees engaged in pursuits whose occupation is hazardous or requires great physical effort, or which necessitates exposure to extreme heat or cold, and those employees whose terms of service shall include fifteen years or more of such service rendered in the Tropics, shall be eligible at sixty-two years of age; the classification of employees for the purpose of assignment to the various age groups shall be determined jointly by the Civil Service Commission and the head of the department, branch, or independent office of the Government concerned: *Provided further*, That any such employee who was employed as a mechanic for the major portion of his service, and not less than fifteen years, and was subsequent to August 20, 1920, involuntarily transferred to employment as a laborer and thereafter involuntarily discharged from the service of the United States, shall receive such annuity as he would have been entitled to, if on the day of his discharge from the service he had been retired under the provisions of this Act: *Provided further*, That any mechanic, having served thirty years, who was, through no fault of his own, transferred or reduced to a minor position, and who shall have attained, or who shall thereafter attain the age of sixty-two years, shall have his annuity computed upon his average annual basic salary, pay, or compensation for the last ten years of his service as a mechanic: *Provided further*, That the term "mechanics," as used in this Act, shall include all employees in the Government Printing Office whose duties are to supervise, perform, or assist in apprentice, helper, or journeyman work of a recognized trade or craft, as determined by the Public Printer.

Railway postal clerks, etc., hazardous pursuits, and service in the Tropics.

Mechanics involuntarily transferred as laborers since August 20, 1920.

Mechanics reduced after 30 years' service.

Government Printing Office employees included as "mechanics."

All employees to whom this Act applies, who would be eligible for retirement from the service upon attaining the age of seventy years, sixty-five years, or sixty-two years, as the case may be, shall, after attaining the age of sixty-eight years, sixty-three years, and sixty years, respectively, and having rendered at least thirty years' service, computed as provided in section 5 of this Act, be eligible for retirement on an annuity as provided in section 4 of this Act. Retirement under the provisions of this paragraph shall be at the option of the employee; but if such option is not exercised prior to the date upon which the employee would otherwise be eligible for retirement from the service, the provisions of this Act with respect to automatic separation from the service shall apply.

Optional retirement two years before automatic period allowed employees with thirty years' service. Vol. 44, p. 1381.

Post, p. 472.

AUTOMATIC SEPARATION

SEC. 2. All employees to whom this Act applies shall, on arriving at retirement age as defined in the preceding section, and having rendered fifteen years of service, be automatically separated from the service, and all salary, pay, or compensation shall cease from that date, and it shall be the duty of the head of each department, branch, or independent office of the Government concerned to notify such employees under his direction of the date of such separation from the service at least sixty days in advance thereof: *Provided*, That if the head of the department, branch, or independent office of the Government in which he is employed certifies to the Civil Service Commission that by reason of his efficiency and willingness to remain in the civil service of the United States the continuance of such employee therein would be advantageous to the public service, such employee may be retained for a term not exceeding two years upon the approval and certification by the Civil Service Commission, and at the end of

Automatic separation from service on reaching retirement age, etc.

Notification to employees.

Provisos. Temporary retention on certificate by head of department, etc.

470

SEVENTY-FIRST CONGRESS. Sess. II. Ch. 349. 1920.

Final separation except in special cases. Vol. 44, p. 905, amended. Post, p. 515.

Action on application for retention.

Head of department, etc., to certify to Civil Service Commission, if retention advantageous to public service.

Annuity restricted employment in other positions. Ante, p. 468.

Application of Act.

Vol. 44, p. 905, amended.

To classified civil service employees, including additions by Executive orders, etc.

Post, p. 473.

Other specified employees.

Post, p. 515.

Citizen employees of Panama Canal. Post, p. 1480.

the two years he may, by similar approval and certification, be continued for an additional term not exceeding two years, and so on: *Provided, however,* That after August 20, 1930, no employee shall be continued in the civil service of the United States beyond the age of retirement for more than four years, except that where the head of the department or establishment certifies, and the Civil Service Commission agrees, that by reason of expert knowledge and special qualifications the continuance of the employee would be advantageous to the public service, further extensions of two years may be granted.

Whenever an employee shall make application for such continuation in the civil service, and shall submit acceptable proof of his present physical fitness to perform his work, it shall be the duty of the head of the department, branch, or independent office of the Government concerned to obtain from the immediate superior in the service of such applicant all efficiency ratings and other information on file respecting the character of the work of such applicant, and shall also obtain from such immediate superior his opinion in writing with respect to the efficiency of the work performed by such applicant. From such information shall be eliminated increases in ratings, credits, and other preferences for any cause whatsoever other than the character of work actually performed. Should such information show that the applicant has been efficient and competent during the two years next preceding his application for continuance in the civil service, the head of the department, branch, or independent office of the Government concerned shall, as of course, certify to the United States Civil Service Commission that, by reason of the efficiency and willingness of such applicant to remain in the civil service of the United States, the continuance of such employee would be advantageous to the public service.

No person separated from the service who is receiving an annuity under the provisions of section 1 of this Act, shall be employed again in any position within the purview of this Act.

EMPLOYEES TO WHOM THE ACT SHALL APPLY

SEC. 3. This Act shall apply to the following employees and groups of employees:

(a) All employees in the classified civil service of the United States, including all persons who have been heretofore or may hereafter be given a competitive status in the classified civil service, with or without competitive examination, by legislative enactment, or under civil service rules promulgated by the President, or by Executive orders covering into the competitive classified service groups of employees with their positions or authorizing the appointment of individuals to positions within such service.

(b) Superintendents of United States national cemeteries, and such employees of the offices of solicitors of the several executive departments, of the Architect of the Capitol, of the Library of Congress, of the United States Botanic Garden, of the recorder of deeds and register of wills of the District of Columbia, of the United States Soldiers' Home, of the National Home for Disabled Volunteer Soldiers, of the State Department without the continental limits of the United States who are United States citizens and not within the Foreign Service as defined in the Act of May 24, 1924, and amendments thereof, and of the Indian Service at large whose tenure of employment is not intermittent nor of uncertain duration.

(c) All employees of the Panama Canal on the Isthmus of Panama who are citizens of the United States and whose tenure of employment is not intermittent nor of uncertain duration.

SEVENTY-FIRST CONGRESS. SESS. . . CH. 349. 1930.

471

(d) Unclassified employees of the United States in all cities and in all establishments or offices in which appointments are made under labor regulations approved by the President, or from subclerical or other registers for the classified service; and unclassified employees transferred from classified positions: *Provided*, That these groups shall include only those employees whose tenure of employment is not intermittent nor of uncertain duration.

Unclassified employees in cities, etc., appointed under labor regulations, etc.

Proviso.
Permanent tenure necessary.

(e) All regular annual employees of the municipal government of the District of Columbia, appointed directly by the commissioners or by other competent authority, including those employees receiving per diem compensation paid out of general appropriations and including public-school employees, excepting school officers and teachers.

District of Columbia employees.

School teachers, etc., excepted.

(i) All employees and groups of employees to whom the benefits of the Act of May 22, 1920, and amendments thereof, shall have been extended by Executive orders.

Employees, extended by Executive order. Vol. 41, p. 614.

(g) Postmasters of the first, second, and third class who have been promoted, appointed, or transferred from the classified civil service.

Postmasters promoted, etc., from classified civil service.

This Act shall not apply to such employees of the Lighthouse Service as come within the provisions of section 6 of the Act of June 20, 1918, entitled "An Act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes," nor to members of the police and fire departments of the municipal government of the District of Columbia, nor to postmasters, excepting those specifically described in paragraph (g) of this section, nor to such employees or groups of employees as may have been before the effective date of this Act excluded by Executive orders from the benefits of the Act of May 22, 1920, and amendments thereof.

Exclusions.
Lighthouse employees. Vol. 40, p. 608.

Police and fire departments, D. C. Post, p. 841.
Other postmasters. *Supra*.

Excluded by Executive order.

The provisions of this Act may be extended by Executive order, upon recommendation of the Civil Service Commission, to apply to any employee or group of employees in the civil service of the United States not included at the time of its passage. The President shall have power, in his discretion, to exclude from the operation of this Act any employee or group of employees in the civil service whose tenure of office or employment is intermittent or of uncertain duration: *Provided*, That the provisions of this Act shall apply to anyone who entered the United States mail service as a rural carrier before January 1, 1897, and who continued in the service as such carrier continuously for twenty years or more, and who was honorably separated from the service. Such carrier shall be paid such compensation under this Act as his length of service entitles him to receive.

Extensions permitted by Executive order.

Discretionary exclusion if tenure intermittent, etc.

Proviso.
Application to rural mail carrier of designated service, etc.

METHOD OF COMPUTING ANNUITIES

Annuities.

SEC. 4. The annuity of an employee retired under the provisions of the preceding sections of this Act shall be a life annuity, terminable upon the death of the annuitant and shall be composed of:

(1) A sum equal to \$30 for each year of service not exceeding thirty: *Provided*, That such portion of the annuity shall not exceed three-fourths of the average annual basic salary, pay, or compensation received by the employee during any five consecutive years of allowable service at the option of the employee; and (2) the amount of annuity purchasable with the sum to the credit of the employee's individual account as provided in section 12 (a) hereof, together with interest at 4 per centum per annum compounded on June 30 of each year, according to the experience of the civil-service retirement and disability fund as may from time to time be set forth in tables of

Amount and computation of basic portion of. Vol. 44, p. 907, amended.

Provisos.
Basic portion limited to three-fourths of annual salary, etc.
Purchasable annuity credited to employee's account.

Post, p. 476.
Interest added.

472

SEVENTY-FIRST CONGRESS. Sess. II. CH. 349. 1930.

Total annuity limited.

Increased annuity at employee's option.

Computation of periods of service.

Bonuses, etc., excluded as "basic salary, pay, or compensation."

annuity values by the Board of Actuaries: *Provided*, That the total annuity paid shall in no case be less than an amount equal to the average annual basic salary, pay, or compensation, not to exceed \$1,600 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service, not exceeding thirty years, and divided by forty: *And provided further*, That any employee at the time of his retirement may elect to receive, in lieu of the life annuity herein described, an increased annuity of equivalent value which shall carry with it a proviso that no unexpended part of the principal upon the annuitant's death shall be returned. For the purposes of this Act all periods of service shall be computed in accordance with section 5 hereof, and the annuity shall be fixed at the nearest multiple of twelve.

The term "basic salary, pay, or compensation," wherever used in this Act, shall be so construed as to exclude from the operation of the Act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation.

Accredited service.

COMPUTATION OF ACCREDITED SERVICE

Periods of all service included in computing. Vol. 44, p. 607, amended.

District of Columbia.

Overseas, military, naval, etc.

Deduction of period entitling to pension, etc.

Pension, or War Risk compensation, etc., excluded.

Periods of separations, etc., excluded.

Exception. Vol. 39, p. 742; Vol. 44, p. 772. U. S. C., Supp. IV, p. 36.

Fractions of a month disregarded.

Disability retirement.

Annuity allowed on application if totally disabled before retirement age. Vol. 44, p. 607, amended.

SEC. 5. Subject to the provisions of section 9 hereof, the aggregate period of service which forms the basis for calculating the amount of any benefit provided in this Act shall be computed from the date of original employment, whether as a classified or an unclassified employee in the civil service of the United States, or in the service of the District of Columbia, including periods of service at different times and in one or more departments, branches, or independent offices, or the legislative branch of the Government, and also periods of service performed overseas under authority of the United States, and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States; in the case of an employee, however, who is eligible for and elects to receive a pension under any law, or retired pay on account of military or naval service, or compensation under the War Risk Insurance Act, the period of his military or naval service upon which such pension, retired pay, or compensation is based shall not be included, but nothing in this Act shall be so construed as to affect in any manner his or her right to a pension, or to retired pay, or to compensation under the War Risk Insurance Act in addition to the annuity herein provided.

In computing length of service for the purposes of this Act all periods of separation from the service, and so much of any leaves of absence as may exceed six months in the aggregate in any calendar year, shall be excluded, except such leaves of absence granted employees while receiving benefits under the United States Employees' Compensation Act, and in the case of substitutes in the Postal Service credit shall be given from date of original appointment as a substitute.

In determining the aggregate period of service upon which the annuity is to be based, the fractional part of a month, if any, in the total service shall be eliminated.

DISABILITY RETIREMENT—MEDICAL EXAMINATIONS REQUIRED

SEC. 6. Any employee to whom this Act applies who shall have served for a total period of not less than five years, and who, before becoming eligible for retirement under the conditions defined in the preceding sections hereof, becomes totally disabled for useful and

SEVENTY-FIRST CONGRESS. Sess. I. CH. 349. 1930.

473

efficient service in the grade or class of position occupied by the employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall upon his own application or upon the request or order of the head of the department, branch, or independent office concerned, be retired on an annuity computed in accordance with the provisions of section 4 hereof: *Provided*, That proof of freedom from vicious habits, intemperance, or willful misconduct for a period of more than five years next prior to becoming so disabled for useful and efficient service, shall not be required in any case. No claim shall be allowed under the provisions of this section unless the application for retirement shall have been executed prior to the applicant's separation from the service or within six months thereafter: *Provided*, That any employee who heretofore has failed to file an application for retirement within six months after separation from the service, may file such application within three months after the effective date of this Act. No employee shall be retired under the provisions of this section unless examined by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons, designated by the Commissioner of Pensions for that purpose, and found to be disabled in the degree and in the manner specified herein.

Every annuitant retired under the provisions of this section, unless the disability for which retired be permanent in character, shall at the expiration of one year from the date of such retirement and annually thereafter, until reaching retirement age as defined in section 1 hereof, be examined under the direction of the Commissioner of Pensions by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons designated by the Commissioner of Pensions for that purpose, in order to ascertain the nature and degree of the annuitant's disability, if any. If an annuitant shall recover before reaching retirement age and be restored to an earning capacity which would permit him to be appointed to some appropriate position fairly comparable in compensation to the position occupied at the time of retirement, payment of the annuity shall be continued temporarily to afford the annuitant opportunity to seek such available position, but not in any case exceeding ninety days from the date of the medical examination showing such recovery. Should the annuitant fail to appear for examination as required under this section, payment of the annuity shall be suspended until continuance of the disability shall have been satisfactorily established. The Commissioner of Pensions may order or direct at any time such medical or other examination as he shall deem necessary to determine the facts relative to the nature and degree of disability of any employee retired on an annuity under this section.

In all cases where the annuity is discontinued under the provisions of this section before the annuitant has received a sum equal to the amount credited to his individual account as provided in section 12 (a) hereof, together with interest at 4 per centum per annum compounded on June 30 of each year, the difference, unless he shall become reemployed in a position within the purview of this Act, shall be paid to the retired employee, as provided in section 12 (b) hereof, upon application therefor in such form and manner as the Commissioner of Pensions may direct. In case of reemployment in a position within the purview of this Act the amount so refunded shall be redeposited as provided in section 12 (b) hereof.

Disability by reason of willful misconduct.

Article p. 471.

Computation.

Proviso.
Habits for five years prior to becoming disabled.

"

Extended for retired employees.

Medical examination.

Post, p. 1010.

Annual examinations thereafter.
Requirements for, until retirement age, unless disability permanent.

Annuity discontinued on recovery, etc.

Payment suspended on failure to be examined.

Special examination.

Discontinued annuities.

Difference between contributions and the amount paid, to be returned.

Upon reemployment amount to be redeposited.

474

SEVENTY-FIRST CONGRESS. Sess. II. CH. 240. 1930.

No annuity if receiving compensation for disability.
Vol. 39, p. 742.

Choice of greater benefit allowed.

Fees, etc., for medical examination.

Post, p. 1010.

Payment of.

No person shall be entitled to receive an annuity under the provisions of this Act, and compensation under the provisions of the Act of September 7, 1916, entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," covering the same period of time; but this provision shall not be so construed as to bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period of time.

Fees for examinations made under the provisions of this section, by physicians or surgeons who are not medical officers of the United States, shall be fixed by the Commissioner of Pensions, and such fees, together with the employee's reasonable traveling and other expenses incurred in order to submit to such examinations, shall be paid out of the appropriations for the cost of administering this Act.

Involuntary separation from the service.

Payments, if eligible and before reaching retirement age.

Ante, p. 468.

Return of salary deductions.
Immediate life annuity.

Computation of.

Ante, p. 471.

Deferred annuity beginning at eligible age.

Deferred annuity with special service and age between 45 and 55 years.

Immediate annuity at 55, authorized.

Annuities to cease if reemployed.

Applicable to former employees separated from service.

Vol. 41, p. 614.

Proviso.
Return of withdrawn pay, reductions, etc.

INVOLUNTARY SEPARATION FROM THE SERVICE

SEC. 7. Should any employee fifty-five years of age or over to whom this Act applies, after having served for a total period of not less than fifteen years and before becoming eligible for retirement under the conditions defined in section 1 hereof, become involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, such employee shall be paid as he or she may elect, either—

(a) The total amount of his deductions with interest thereon; or
(b) An immediate life annuity beginning at the date of separation from the service, having a value equal to the present worth of a deferred annuity beginning at the age at which the employee would otherwise have become eligible for superannuation retirement computed as provided in section 4 of this Act; or

(c) A deferred annuity beginning at the age at which the employee would otherwise have become eligible for superannuation retirement, computed as provided in section 4 of this Act. The right to such deferred annuity shall be evidenced by a proper certificate issued under the seal of the Department of the Interior.

Any employee who has served for a period of not less than fifteen years, and who is forty-five years of age, or over, and less than fifty-five years, and who becomes separated from the service under the conditions set forth in this section shall be entitled to a deferred annuity, but such employee may, upon reaching the age of fifty-five years, elect to receive an immediate annuity as provided in paragraph (b) of this section.

Should an annuitant under the provisions of this section be reemployed in a position included in the provisions of this Act, or in any other position in the Government service, the annuity shall cease, and all rights and benefits under the provisions of this section shall terminate from and after the date of such employment.

This section shall include former employees within the provisions of the Act of May 22, 1920, or said Act as amended or as extended by Executive orders, who may have been separated from the service subsequent to August 20, 1920, under the conditions defined in this section: *Provided*, That in the case of an employee who has received a refund from the "civil-service retirement and disability fund," such employee shall be required to return the amount so received with interest compounded on June 30 of each year at the rate of 4 per centum per annum before he shall be entitled to the benefits of this section.

SEVENTY-FIRST CONGRESS. Sess. 1. Ch. 349. 1930.

475

BENEFITS EXTENDED TO THOSE ALREADY RETIRED

Retired employees.

SEC. 8. In the case of those who before the effective date of this Act shall have been retired on annuity under the provisions of the Act of May 22, 1920, or said Act as amended, or as extended by Executive orders, the annuity shall be computed, adjusted, and paid under the provisions of this Act, but this Act shall not be so construed as to reduce the annuity of any person retired before its effective date, nor shall any increase in annuity commence before such effective date.

Benefits of Act extended to.

CREDIT FOR PAST SERVICE

Past service.

SEC. 9. Beginning with the effective date of this Act, all employees who may be brought then or thereafter within the purview of the Act by legislative enactment, or by appointment, or through classification, or by transfer, or reinstatement, or Executive order, or otherwise, shall be required to deposit with the Treasurer of the United States to the credit of the "civil-service retirement and disability fund" a sum equal to $2\frac{1}{2}$ per centum of the employee's basic salary, pay, or compensation received for services rendered after July 31, 1920, and prior to July 1, 1926, and also $3\frac{1}{2}$ per centum of the basic salary, pay, or compensation for services rendered from and after July 1, 1926, together with interest computed at the rate of 4 per centum per annum compounded on June 30 of each fiscal year, but such interest shall not be included for any period during which the employee was separated from the service. All employees who may hereafter be brought within the purview of this Act may elect to make such deposits in installments during the continuance of their service in such amounts and under such conditions as may be determined in each instance by the Commissioner of Pensions. The amount so deposited, less \$1 for each month, or major fraction thereof, of service after the effective date of this Act, shall be credited to the employee's individual account, as provided in section 12 (a) hereof. Upon making such deposit the employee shall be entitled to credit for the period or periods of service involved: *Provided*, That failure to make such deposit shall not deprive the employee of credit for any past service rendered prior to August 1, 1920, to which he or she would otherwise be entitled.

Deposits to credit of fund by employees hereafter brought within purview of Act. From July 31, 1920, to July 1, 1923.

Thereafter. Vol. 42, p. 910, amended.

Deposits by installments during continuance of service.

Post, p. 1016.

Post, p. 476.

Proviso. Failure not to deprive credit for service prior to August 1, 1920.

DEDUCTIONS AND DONATIONS

Deductions and donations.

SEC. 10. Beginning as of July 1, 1926, there shall be deducted and withheld from the basic salary, pay, or compensation of each employee to whom this Act applies a sum equal to $3\frac{1}{2}$ per centum of such employee's basic salary, pay, or compensation. The amounts so deducted and withheld from the basic salary, pay, or compensation of each employee shall, in accordance with such procedure as may be prescribed by the Comptroller General of the United States, be deposited in the Treasury of the United States to the credit of the "civil-service retirement and disability fund" created by the Act of May 22, 1920, and said fund is hereby appropriated for the payment of annuities, refunds, and allowances as provided in this Act.

Monthly deductions from salaries.

Regulations to be prescribed.

Transferred to special fund. Vol. 41, p. 618.

Appropriations therefrom.

The Secretary of the Treasury is hereby authorized and empowered in carrying out the provisions of this Act to supplement the individual contributions of employees with moneys received in the form of donations, gifts, legacies, or bequests, or otherwise, and to receive, deposit, and invest for the purposes of this Act all moneys which may be contributed by private individuals or corporations or organizations for the benefit of civil-service employees generally.

Acceptance and application of donations to fund.

476

SEVENTY-FIRST CONGRESS. Sess. II. Ch. 349. 1930.

Consent by employee, of deductions from pay inferred.
 Payment, a full discharge of all claims for services except annuity.

R. S., secs. 167-169,
 p. 27.
 U. S. C., p. 30.

Every employee coming within the provisions of this Act shall be deemed to consent and agree to the deductions from salary, pay, or compensation as provided herein, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services rendered by such employee during the period covered by such payment, except the right to the benefits to which he shall be entitled under the provisions of this Act, notwithstanding the provisions of sections 167, 168, and 169 of the Revised Statutes of the United States, and of any other law, rule, or regulation affecting the salary, pay, or compensation of any person or persons employed in the civil service to whom this Act applies.

Investments.

INVESTMENT AND ACCOUNTS

Of unused portion of special fund in Federal securities, etc.

Infra.

Returns of amounts deducted from salaries.

RETURNS OF AMOUNTS DEDUCTED FROM SALARIES

To be credited to employee's individual account, to date of Act.
 Vol. 41, p. 618.

The same thereafter, less \$1 per month.

Return of deductions on transfer to position not included in Act.
 Vol. 44, p. 911, amended.

Provision.
 Involuntary separation from service.

Redeposit, if reinstated, etc.

Amount credited to deceased annuitant's account to be paid to his representative.

SEC. 11. The Secretary of the Treasury shall invest from time to time, in interest-bearing securities of the United States or Federal farm-loan bonds, such portions of the "civil-service retirement and disability fund" as in his judgment may not be immediately required for the payment of annuities, refunds, and allowances as herein provided, and the income derived from such investments shall constitute a part of said fund for the purpose of paying annuities and of carrying out the provisions of section 12 of this Act.

SEC. 12. (a) Under such regulations as may be prescribed by the Civil Service Commission the amounts deducted and withheld from the basic salary, pay, or compensation of each employee for credit to the "civil-service retirement and disability fund" created by the Act of May 22, 1920, covering service during the period from August 1, 1920, to the effective date of this Act, shall be credited to an individual account of such employee, to be maintained by the department or office by which he is employed and the amounts deducted and withheld from the basic salary, pay, or compensation of each employee for credit to the "civil-service retirement and disability fund" covering service from and after the effective date of this Act, less the sum of \$1 per month or major fraction thereof, shall similarly be credited to such individual account.

(b) In the case of any employee to whom this Act applies who shall be transferred to a position not within the purview of the Act, or who shall become absolutely separated from the service before becoming eligible for retirement on annuity, the amount credited to his individual account shall be returned to such employee together with interest at 4 per centum per annum compounded on June 30 of each year: *Provided*, That when any employee becomes involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, the total amount of his deductions with interest thereon shall be paid to such employee: *And provided further*, That all money so returned to an employee must, upon reinstatement, retransfer, or reappointment to a position coming within the purview of this Act, be redeposited with interest before such employee may derive any benefits under this Act, except as provided in this section, but interest shall not be required covering any period of separation from the service.

(c) In case an annuitant shall die without having received in annuities purchased by the employee's contributions as provided in (2) of section 4 hereof an amount equal to the total amount to his credit at time of retirement, the amount remaining to his credit shall

SEVENTY-FIRST CONGRESS. Sess. II. Ch. 349. 1930.

477

be paid in one sum to his legal representatives upon the establishment of a valid claim therefor, unless the annuitant shall have elected to receive an increased annuity as provided in section 4 hereof.

(d) In case an employee shall die without having attained eligibility for retirement or without having established a valid claim for annuity, the total amount of his deductions with interest thereon shall be paid to the legal representatives of such employee.

Amount credited to account of deceased employee, ineligible for retirement, paid to representative.

(e) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such employee.

Payment to guardian, if employee entitled to deductions becomes legally incompetent.

(f) If the amount of accrued annuity or of refund due a former employee who is legally incompetent does not exceed \$1,000, and if there has been no demand upon the Commissioner of Pensions by a duly appointed executor, administrator, guardian, or committee, payment may be made, after the expiration of thirty days from date of death or of separation from the service, as the case may be, to such person or persons as may appear in the judgment of the Commissioner of Pensions to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

Payment, if no executor, guardian, etc., appointed, of amounts not exceeding \$1,000.

Post, p. 1016.

PAYMENT OF ANNUITIES AND FORM OF APPLICATION

SEC. 13. Annuities granted under the terms of this Act shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued, and payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the disbursing clerk for the payment of pensions in such form and manner and with such safeguards as shall be prescribed by the Secretary of the Interior in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments.

Monthly payments of annuities by check. Vol. 42, p. 912.

Applications for annuity shall be in such form as the Commissioner of Pensions may prescribe, and shall be supported by such certificates from the heads of departments, branches, or independent offices of the Government in which the applicant has been employed as may be necessary to the determination of the rights of the applicant. Upon receipt of satisfactory evidence the Commissioner of Pensions shall forthwith adjudicate the claim of the applicant, and if title to annuity be established, a proper certificate shall be issued to the annuitant under the seal of the Department of the Interior.

Applications for annuities. Certificate from head of department, etc., required.

Annuities granted under this Act for retirement under the provisions of section 1 of this Act shall commence from the date of separation from the service and shall continue during the life of the annuitant. Annuities granted under the provisions of sections 6 and 7 hereof shall be subject to the limitations specified in said sections.

Commencement and continuance. Disability and involuntary separation. Ante, p. 463.

Ante, pp. 472, 474.

SEC. 14. Employees who have gone from employment within the purview of this Act to other employment under the Government and have returned to a position under the purview of this Act shall have the time of such other service included in the computation for his retirement: *Provided*, That such employee shall contribute to the retirement fund upon reentering such employment within the purview of this Act an amount, including interest, equivalent to that which would have been paid if such employee had continued in such employment.

Employees returning to annuity status from other Government positions, credited for service therein.

Proviso. Contribution to the fund required.

478

SEVENTY-FIRST CONGRESS. Sess. II. CH. 349. 1930.

Civil Service Commission.

DUTIES OF THE CIVIL SERVICE COMMISSION

Record of individual service to be kept by.

Data, etc., for Commissioner of Pensions, etc.

SEC. 15. The Civil Service Commission shall keep a record of appointments, transfers, changes in grade, separations from the service, reinstatements, loss of pay, and such other information concerning individual service as may be deemed essential to a proper determination of rights under this Act; and shall furnish the Commissioner of Pensions such reports therefrom as he shall from time to time request as necessary to the proper adjustment of any claim for annuity hereunder; and shall prepare and keep all needful tables and records required for carrying out the provisions of this Act, including data showing the mortality experience of the employees in the service and the percentage of withdrawals from such service, and any other information that may serve as a guide for future valuations and adjustments of the plan for the retirement of employees under this Act.

Board of Actuaries.

BOARD OF ACTUARIES

Selection of, by Commissioner of Pensions.

Duties.
Post, p. 1016.

Preparation of annuity tables, etc.

Compensation.

SEC. 16. The Commissioner of Pensions, with the approval of the Secretary of the Interior, is hereby authorized and directed to select three actuaries, one of whom shall be the Government actuary, to be known as the Board of Actuaries, whose duty it shall be to annually report upon the actual operations of this Act, with authority to recommend to the Commissioner of Pensions such changes as in their judgment may be deemed necessary to protect the public interest and maintain the system upon a sound financial basis, and they shall make a valuation of the "civil-service retirement and disability fund" at intervals of five years, or oftener if deemed necessary by the Commissioner of Pensions; they shall also prepare such tables as may be required by the Commissioner of Pensions for the purpose of computing annuities under this Act. The compensation of the members of the Board of Actuaries, exclusive of the Government actuary, shall be fixed by the Commissioner of Pensions with the approval of the Secretary of the Interior.

Administration.

ADMINISTRATION

Authority conferred on Commissioner of Pensions.
Post, p. 1016.

Appeal to Secretary of the Interior.

Detailed annual report of receipts, disbursements, etc.

Estimates annually to Bureau of Budget.

SEC. 17. For the purpose of administration, except as otherwise provided herein, the Commissioner of Pensions, under the direction of the Secretary of the Interior, be, and is hereby, authorized and directed to perform, or cause to be performed, any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect. An appeal to the Secretary of the Interior shall lie from the final action or order of the Commissioner of Pensions affecting the rights or interests of any person or of the United States under this Act, the procedure on appeal to be as prescribed by the Commissioner of Pensions, with the approval of the Secretary of the Interior.

The Commissioner of Pensions shall make a detailed comparative report annually showing all receipts and disbursements on account of annuities, refunds, and allowances, together with the total number of persons receiving annuities and the total amounts paid them, and he shall transmit to Congress, through the Secretary of the Interior, the reports and recommendations of the Board of Actuaries.

The Secretary of the Interior shall submit annually to the Bureau of the Budget estimates of the appropriations necessary to finance the retirement and disability fund and to continue this Act in full force and effect.

SEVENTY-FIRST CONGRESS. Sess. II. CHS. 349-352. 1930.

479

EXEMPTION FROM EXECUTION, AND SO FORTH

Exemption of annuities.

SEC. 18. None of the moneys mentioned in this Act shall be assignable, either in law or equity, or be subject to execution, levy, or attachment, garnishment, or other legal process:

Moneys from, non-assignable, etc.

EFFECTIVE DATE

Effective date.

SEC. 19. This Act shall take effect on the 1st day of July, 1930.
Approved, May 29, 1930.

CHAP. 350.—An Act To Authorize the Secretary of the Navy to lease the United States naval destroyer and submarine base, Squantum, Massachusetts.

May 29, 1930.
[H. R. 6142.]
[Public, No. 280.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to lease all or any part of the United States naval destroyer and submarine base, Squantum, Massachusetts, for periods not exceeding twenty-five years, on such terms and conditions as he may deem most advantageous to the Government when in his judgment such property may not be needed for naval uses and the leasing of it may serve the public interests. Any such lease shall be granted only after competitive bidding and shall be revocable at the discretion of the Secretary of the Navy in case of national emergency declared by the President, and the lessee shall not be entitled to any damages that may result from such revocation.

Squantum, Mass.
Naval base at, may be leased.

Terms and conditions.

Competitive bidding for.
Revocable in national emergency.

Approved, May 29, 1930.

CHAP. 351.—An Act To extend the times for commencing and completing the construction of a bridge across the Illinois River, at or near Peoria, Illinois.

May 29, 1930.
[S. 1578.]
[Public, No. 281.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Illinois River, at or near Peoria, Illinois, authorized to be built by the city of Peoria, Peoria County, Illinois, by the Act of Congress approved March 29, 1928, are hereby extended one and three years, respectively, from March 29, 1930.

Illinois River.
Time extended for bridging at Peoria, Ill.

Vol. 45, p. 392, amended.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, May 29, 1930.

CHAP. 352.—An Act Granting the consent of Congress to the county of Georgetown, South Carolina, to construct, maintain, and operate a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, South Carolina.

May 29, 1930.
[S. 4182.]
[Public, No. 282.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the Board of County Commissioners of Georgetown County, State of South Carolina, and their successors in office, to construct, maintain, and operate a highway bridge and approaches thereto across the Pee Dee River and a highway bridge and approaches thereto across the Waccamaw River; at points suitable to the interests of navigation, both at or near the city of Georgetown, South Carolina, in accordance with the provisions of

Pee Dee, and Waccamaw Rivers.
Georgetown County Commissioners may bridge, at Georgetown, S. C.